

Customer No. 22,852  
Attorney Docket No. 04853.0121

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

National Stage of International )  
Application No. PCT/JP2003/008217 )  
under 35 U.S.C. 371 of: )  
Katsuhisa MITSUHASHI et al. ) Group Art Unit:  
Application No.: 10/519,212 )  
Filed: December 27, 2004 ) Examiner:  
For: METHOD FOR PRODUCING )  
LACTONE )

**MAIL STOP PCT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. A copy of the cited foreign patent documents and non patent literature documents is enclosed. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. JP 59-82090 - The relevance of this document is disclosed on page 2 of the specification of the present patent application. A counterpart of this application is U.S. 4,560,656 cited on attached Form PTO/SB/08.
2. JP 06-225781 – The relevance of this document is disclosed at page 4 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 5,527,693 cited on attached Form PTO/SB/08.
3. JP 3-155792 – The relevance of this document is disclosed at page 3 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 5,128,261 cited on attached Form PTO/SB/08.
4. JP 4-108782 – The relevance of this document is disclosed at page 3 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 5,420,306 cited on attached Form PTO/SB/08.
5. JP 2-174685 – The relevance of this document is disclosed at page 2 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 4,950,607 cited in the Information Disclosure Statement filed with this application on December 27, 2004
6. JP 63-56295 – The relevance of this document is disclosed at page 2 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 5,219,742 cited on attached Form PTO/SB/08.

7. JP 03-117494 – The relevance of this document is disclosed at page 2 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 5,789,212 cited on attached Form PTO/SB/08.

8. EP 0 997 533 A1 – The relevance of this document is disclosed at page 2 of the specification of the present patent application. An English-language counterpart of this application is U.S. Patent No. 6,451,565 cited on the attached Form PTO/SB/08. The Japanese-language counterpart of this application, 2002-528989, is attached to the document.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

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Attorney Docket No. 04853.0121

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 17, 2005

By:

  
Ernest F Chapman  
Reg. No. 25,961

Enclosures

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	2	Attorney Docket Number	04853.0121
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**Complete if Known**

Application Number	10/519,212
Filing Date	December 27, 2004
First Named Inventor	Katsuhisa MITSUHASHI et al.
Art Unit	
Examiner Name	

<b>U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-4,560,656	12-24-1985	Farbood et al.	
		US-5,527,693	06-18-1996	Cardillo et al.	
		US-5,128,261	07-07-1992	Maria de Laat et al.	
		US-5,420,306	05-30-1995	Noyori et al.	
		US-6,451,565	09-17-2002	Rabenhorst et al.	
		US-5,219,742	06-15-1993	Cheetham et al.	
		US-5,789,212	08-04-1998	Boog et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		JP 59-82090	05-11-1984	FRITZSCHE DODGE & OLCOTT INC.		No
		JP 06-225781	08-16-1994	PERUNO RIKAALÉ SA		No
		JP-3-155792	07-03-1991	PFW BEHEER BV		No
		JP-4-108782	04-09-1992	TAKASAGO PERFUMERY CO LTD.		No
		JP-2-174685	07-06-1990	PERNOD RICARD		No
		JP-63-56295	03-10-1988	UNILEVER NV		No
		JP-03-117494	05-20-1991	UNILEVER NV		No
		EP-0 997 533 A1	05-03-2000	HAARMANN & REIMER GMBH		No
		JP-2002-528089	09-03-2002			No

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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

				<b>Complete if Known</b>
<i>Application Number</i>	10/519,212			
<i>Filing Date</i>	December 27, 2004			
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<i>Examiner Name</i>				
<i>Attorney Docket Number</i>	04853.0121			

Sheet

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of

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<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation <sup>6</sup>
		TAHARA et al., "γ-Decalactone-One of Constituents of Volatiles in Cultured Broth of Sporobolomyces odorus," Agr. Biol. Chem., Vol. 36, No. 13, p. 2585-2587 (1972).		
		SARRIS et al., "Production of Odoriferous γ Lactones by Fusarium poae," Agric. Biol. Chem., Vol. 49, No. 11, pp. 3227-3230 (1985).		
		MAUME et al., "The Production of γ-Decalactone by Fermentation of Castor Oil," Biocatalysis, Vol. 5, pp. 79-97 (1991).		
		Okui et al., "Metabolism of Hydroxy Fatty Acids," The Journal of Biochemistry, Vol. 54, No. 6, pp. 536-540 (1963).		
		BERNREUTHER et al., "Determination of the Enantiomeric Composition of γ-lactones in Complex Natural Matrices Using Multidimensional Capillary Gas Chromatography," Journal of Chromatography, Vol. 481, pp.363-367 (1989).		
		JOURDAIN et al., "Aroma Components Production by Immobilized Microbial Cells," Topics in Flavour Research, Proceedings of the International Conference, Freising – Weihenstephan, April 1-2, (1985), pp. 427-441, H. Eichhorn, Germany		

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.